

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 EB-07 SAJ-01
ACDA-07 OMB-01 TRSE-00 USIE-00 INRE-00 NSCE-00 SSO-00
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O R 042027Z JAN 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC IMMEDIATE 4406
INFO USMISSION USBERLIN IMMEDIATE
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 00148

E.O. 11652: GDS
TAGS: PFOR, PGOV, GW, GE, WB, UR, US, UK, FR
SUBJECT: ALLIED RESPONSE TO GDR VISA MEASURE

REFS: (A) STATE 675; (B) BONN 47; (C) USBERLIN 34
(D) USBERLIN 23; (E) USBERLIN 12

1. BONN GROUP ON JANUARY 4 REACHED AD REF AGREEMENT
ON THE TEXTS OF A PRESS STATEMENT TO BE ISSUED BY
ALLIED EMBASSIES IN BONN AND OF AN ALLIED PROTEST TO
THE SOVIETS. COMMENTS AND ACTION REQUESTS FOLLOW BY
SEPTEL. THE TWO TEXTS ARE SET OUT BELOW.

2. BEGIN TEXT OF DRAFT PRESS STATEMENT:

THE GOVERNMENTS OF THE UNITED STATES, FRANCE,
AND THE UNITED KINGDOM, IN CLOSE CONSULTATION WITH
THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY,
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HAVE CAREFULLY EXAMINED THE MEASURES RECENTLY TAKEN
BY THE GERMAN DEMOCRATIC REPUBLIC, INCLUDING THOSE
FURTHER RESTRICTING FREEDOM OF MOVEMENT WITHIN
GREATER BERLIN AND REMOVING CONTROL POINTS BETWEEN
THE EASTERN SECTOR OF BERLIN AND THE GDR. THEY
HAVE ALSO EXAMINED THE STATEMENT MADE IN CONNECTION
WITH THESE MEASURES ON DECEMBER 31 BY THE SPOKESMAN

OF THE FOREIGN MINISTRY OF THE GDR.

THE GOVERNMENTS OF THE UNITED STATES, FRANCE, AND THE UNITED KINGDOM REGARD THESE MEASURES AS AN ATTEMPT UNILATERALLY TO CHANGE THE STATUS OF GREATER BERLIN AND AS A VIOLATION OF THE QUADRIPARTITE AGREEMENT OF SEPTEMBER 3, 1971. IN THIS AGREEMENT, WHICH APPLIES TO THE WHOLE OF BERLIN, THE FOUR SIGNATORY POWERS AGREED THAT, IRRESPECTIVE OF THE DIFFERENCES IN LEGAL VIEWS, THE SITUATION WHICH HAS DEVELOPED IN THE AREA SHALL NOT BE CHANGED UNILATERALLY.

THE GOVERNMENTS OF THE UNITED STATES, FRANCE, AND THE UNITED KINGDOM SHARE WITH THE GOVERNMENT OF THE SOVIET UNION THE RESPONSIBILITY FOR MAINTAINING THE STATUS OF GREATER BERLIN, WHICH CAN BE CHANGED ONLY BY AGREEMENT OF ALL FOUR POWERS. NEITHER ACTIONS NOR STATEMENTS BY THE GDR CAN ALTER THE STATUS OF GREATER BERLIN OR AFFECT THE RIGHTS AND RESPONSIBILITIES OF THE FOUR POWERS IN THE CITY.

THE GOVERNMENTS OF THE UNITED STATES, FRANCE, AND THE UNITED KINGDOM WILL LOOK TO THE GOVERNMENT OF THE SOVIET UNION TO CARRY OUT ITS OBLIGATIONS REGARDING BERLIN. END TEXT

3. BEGIN TEXT OF DRAFT ALLIED PROTEST:

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A. THE UNITED STATES (BRITISH, FRENCH) GOVERNMENT, AFTER CONSULTATION WITH THE GOVERNMENTS OF FRANCE AND THE UK, WISHES TO DIRECT THE ATTENTION OF THE SOVIET GOVERNMENT TO CERTAIN MEASURES INSTITUTED BY AUTHORITIES OF THE GERMAN DEMOCRATIC REPUBLIC ON JANUARY 1, 1977, INCLUDING THOSE FURTHER RESTRICTING FREEDOM OF MOVEMENT OF PERSONS THROUGHOUT GREATER BERLIN AND REMOVING CONTROL POINTS BETWEEN THE EASTERN SECTOR OF BERLIN AND THE GDR. IN CONJUNCTION WITH THESE MEASURES, GDR AUTHORITIES ISSUED OFFICIAL STATEMENTS CONTAINING INCORRECT ASSERTIONS CONCERNING THE STATUS OF THE CITY OF BERLIN AND CONCERNING THE QUADRIPARTITE AGREEMENT OF SEPTEMBER 3, 1971. THESE MEASURES CONSTITUTE AN ATTEMPT BY THE AUTHORITIES OF THE GDR TO INTEGRATE THE EASTERN SECTOR OF BERLIN INTO THE GDR.

B. IN THIS REGARD, THE USG WISHES TO STATE THE

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 00148

FOLLOWING:

-- THE QUADRIpartite STATUS OF GREATER BERLIN
STEMS FROM THE ORIGINAL RIGHTS AND RESPONSIBILITIES
OF THE FOUR POWERS. QUADRIpartite
WARTIME AND POST-WAR AGREEMENTS AND DECISIONS
BASED ON THESE RIGHTS AND RESPONSIBILITIES
STIPULATED THAT GREATER BERLIN WAS TO BE A
SPECIAL AREA UNDER THE JOINT AUTHORITY OF THE
FOUR POWERS ENTIRELY DISTINCT FROM THE SOVIET
ZONE OF OCCUPATION IN GERMANY.

-- ANY CHANGE IN THE STATUS OF GREATER BERLIN
AS REFLECTED IN THESE AGREEMENTS AND DECISIONS
WOULD REQUIRE THE AGREEMENT OF ALL FOUR POWERS.
NO SUCH AGREEMENT ALTERING THE STATUS OF BERLIN

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OR PROVIDING FOR A SPECIAL STATUS FOR ANY OF ITS SECTORS HAS EVER BEEN CONCLUDED. NO UNILATERAL STEPS TAKEN IN VIOLATION OF THE QUADRIpartite AGREEMENTS AND DECISIONS RELATING TO GREATER BERLIN, NOR THE FACT THAT THE SEAT OF GOVERNMENT OF THE GERMAN DEMOCRATIC REPUBLIC IS CURRENTLY LOCATED IN THE EASTERN SECTOR OF THE CITY, CAN IMPLY THAT THE QUADRIpartite RIGHTS AND RESPONSIBILITIES RELATING TO THE EASTERN SECTOR ARE IN ANY WAY AFFECTED OR THAT THERE EXISTS A STATE FRONTIER BETWEEN THE EASTERN SECTOR AND THE WESTERN SECTORS OF BERLIN.

-- THE QUADRIpartite AGREEMENT, SIGNED IN BERLIN ON SEPTEMBER 3, 1971, WAS EXPLICITLY CONCLUDED ON THE BASIS THAT THE QUADRIpartite RIGHTS AND RESPONSIBILITIES AND THE CORRESPONDING WARTIME AND POST-WAR AGREEMENTS AND DECISIONS OF THE FOUR POWERS ARE NOT AFFECTED.

C. THE MEASURES TAKEN BY THE AUTHORITIES OF THE GDR ARE INCONSISTENT WITH THE STATUS OF BERLIN AND CONSTITUTE A VIOLATION OF THE QA OF SEPTEMBER 3, 1971. IN THAT AGREEMENT, WHICH APPLIES TO THE WHOLE OF BERLIN, THE FOUR POWERS AGREED THAT, IRRESPECTIVE OF THE DIFFERENCES IN LEGAL VIEWS, THE SITUATION WHICH HAS DEVELOPED IN THE AREA SHALL NOT BE CHANGED UNILATERALLY. THE QA CAN FUNCTION ONLY IF THIS FUNDAMENTAL PRINCIPLE IS RESPECTED.

D. THE AUTHORITIES OF THE UNITED STATES, THE UK, AND FRANCE WILL CONTINUE TO EXERCISE THEIR FULL RIGHTS AND TO DISCHARGE FULLY THEIR RESPONSIBILITIES IN BERLIN. THEY HOLD THE SOVIET GOVERNMENT RESPONSIBLE FOR CARRYING OUT ITS OBLIGATIONS REGARDING

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BERLIN (BEGIN FRENCH/UK BRACKETS) AND FOR THE CONSEQUENCES OF ANY MEASURES WHICH MAY BE REQUIRED AS A RESULT OF THE ILLEGAL ACTIONS OF THE GDR (END FRENCH/UK BRACKETS).
END TEXT
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